

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

DERRICK JAMAAL MORGAN

PLAINTIFF

v.

CASE NO. 4:08-CV-00422 GTE

ARKANSAS STATE HOSPITAL

DEFENDANT

ORDER

Presently before the Court is the Plaintiff's Motion to Proceed *In Forma Pauperis*.

Plaintiff brings what appears to be a civil rights action against Defendant Arkansas State Hospital pursuant to 42 U.S.C. § 1983. On May 13, 2008, the Court ordered that it would dismiss Plaintiff's suit if Plaintiff failed to file an amended complaint by June 13, 2008. The Court directed that such amended complaint should set forth with more particularity the facts and circumstances of Plaintiff's claims, and take note of the following rules of law: (1) state agencies are generally immune from 42 U.S.C. § 1983 suits, and (2) the Arkansas State Hospital is not a person for purposes of § 1983. *See generally Alsbrook v. City of Maumelle*, 184 F.3d 999, 1010 (8th Cir. 1999); *Murphy v. State of Arkansas*, 127 F.3d 750 (8th Cir. 1997). The Court also notified Plaintiff that the failure of a *pro se* plaintiff to respond to any communication from the Court within thirty (30) days may result in dismissal of the plaintiff's case.

To date, Plaintiff has failed to file an amended complaint as directed by the Court. Therefore, the Court finds that Plaintiff's Complaint should be dismissed.

Accordingly,

IT IS THEREFORE ORDERED that the Plaintiff's Motion for Leave to Proceed *in forma pauperis* (Doc. # 10) be, and it is hereby, DENIED. Plaintiff's Complaint is hereby DISMISSED.

Dated this 17th day of June, 2008.

/s/Garnett Thomas Eisele
UNITED STATES DISTRICT JUDGE